ETHICAL DECISION MAKING

Sample Ethics Training

TRAINING OBJECTIVES

To better equip Department of Defense (DoD) personnel to:

- Evaluate ethical dilemmas
- Make ethical decisions relying on, both, ethics rules and fundamental ethical values

TRAINING OBJECTIVES

- Highlight several key ethics rules, using recent examples of unethical conduct, as appropriate
- These examples remind us of our obligation to comply with ethics laws and regulations and how to seek legal advice, when we need it

TRAINING OBJECTIVES

We will also focus on how to navigate in nuanced or gray areas:

- When the ethics rules *don't provide a clear answer* or are silent on the propriety of a proposed action
- The rules require *subjective judgment* to determine the propriety of the proposed activity

COMPONENTS OF ETHICAL DECISION MAKING

- Do the ethics rules permit me to take a proposed action/May I proceed? (The lawyers generally make these calls)

- If yes, should I proceed?

- Query to Self: What are the benefits to DoD if I take the proposed action and what are the RISKS? (Generally, not a legal question)

INSERT

- Insert here a summary of recent cases that will be of most interest to your personnel

ETHICAL RULES IMPLICATED

- In addition to violations of the criminal conflict of interest laws, these cases highlight a variety of violations of the regulatory Federal Standards of Conduct:
  - Use of public office for private gain
  - Disclosure of non-public information
  - Acceptance of gifts from prohibited sources
  - Giving preferential treatment/favoritism
  - Loss of impartiality in performance of duties

CASES REFLECT DISREGARD OF CORE ETHICAL VALUES

- Beyond violations of law and regulations, these cases demonstrate a disregard for the fundamental values of the DoD …
  - Integrity
  - Respect
  - Accountability
  - Selfless service
  - Personal courage, and
  - Stewardship of the taxpayer's $$

WHAT ARE ETHICAL VALUES?

- Ethics are standards by which one should act, based on values
  - Values are core beliefs that motivate attitudes and actions
  - Ethical values relate to what is right and wrong
  - Ethical values demand that our actions not only comply with law, but promote public confidence

Service Core Values

Army

- ✓ Loyalty
- ✓ Duty
- ✓ Respect
- ✓ Selfless Service
- ✓ Honor
- ✓ Integrity
- ✓ Personal Courage

Navy

- ✓ Honor
- ✓ Courage
- ✓ Commitment

Marines

- ✓ Honor
- ✓ Courage
- ✓ Commitment

Air Force

- ✓ Integrity First
- ✓ Service before Self
- ✓ Excellence in all we do

ETHICAL PRINCIPLES OF FEDERAL SERVICE

- Basic obligations of public service highlighted in the Federal Standards of Conduct, e.g.:
  - Remain impartial in all official business and dealings
  - Avoid using public office for private gain
  - Protect and conserve federal property
  - Avoid holding financial interests that conflict with the conscientious performance of duty
  - Do not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest

DOD CORE VALUES

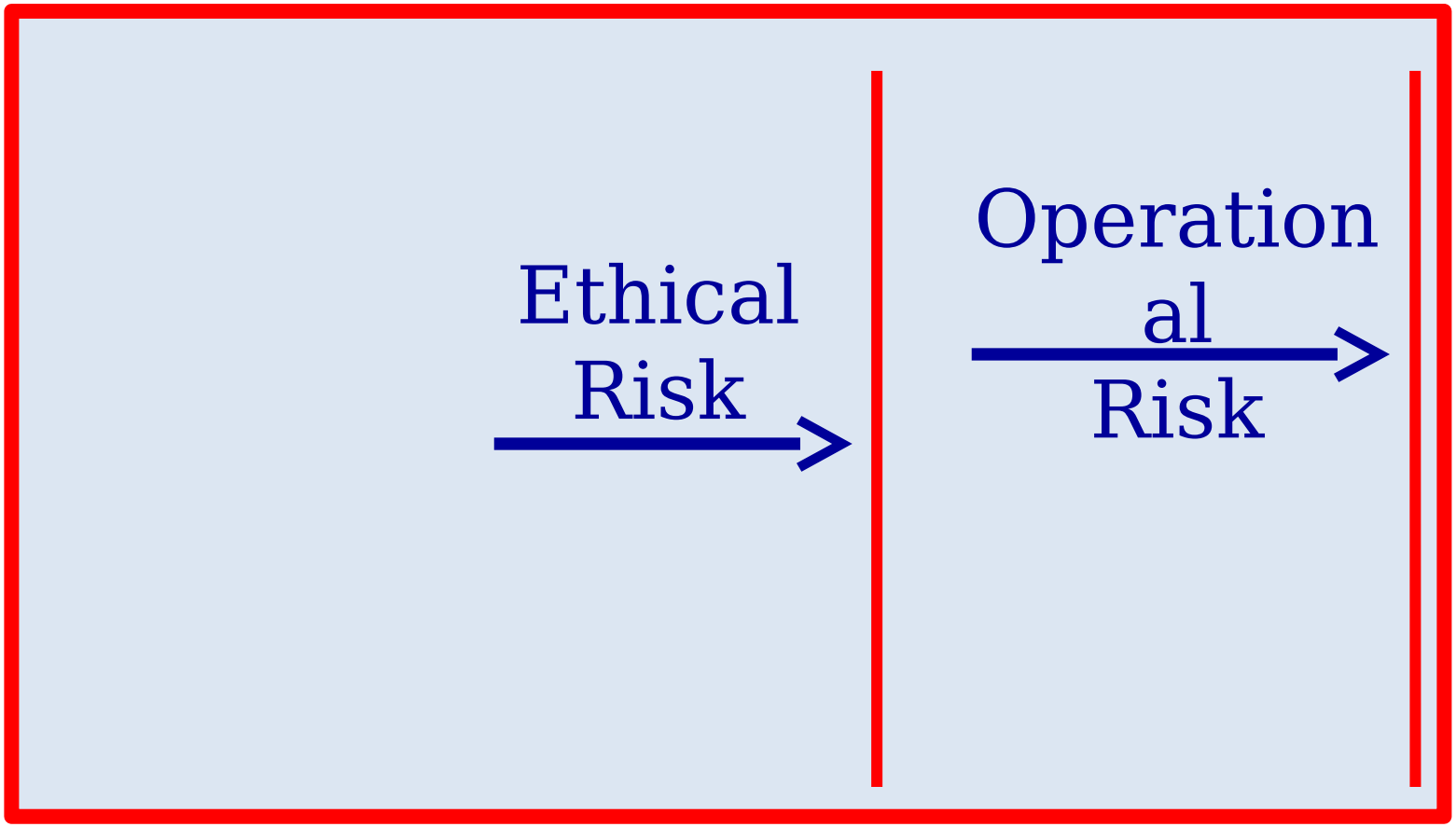
Chapter 12, Section 4 of the Joint Ethics Regulation, e.g.:

- Honesty
- Integrity
- Loyalty
- Accountability
- Respect
- Fairness
- Caring

CORE VALUES

Core values help us navigate the *"gray areas"* when the law is either silent or requires subjective judgment to determine the propriety of the proposed activity

MANAGING OPERATIONAL & ETHICAL RISKS



Boundaries constitute the legal

COULD VS. SHOULD

- When making an ethical decision ask two questions:
  - Do the ethics rules permit me to take a proposed action (may I)?
  - If so, should I take the action? Would my action create an appearance that I am less than fair and impartial – or cause a reasonable person to question the integrity of DoD business processes.

LEGAL, BUT IS IT PRUDENT? HYPOTHETICAL

A senior official asks if he can travel at the Government's expense to attend a 30-minute award ceremony. The ceremony occurs during a charitable organization's gala in which a subordinate in the official's organization will be honored for valor. The Gala will be in Las Vegas.

May he attend at the Government's expense?

Should he?

LEGAL, BUT IS IT PRUDENT? HYPOTHETICAL

Insert a customized hypothetical for your audience to discuss.

HOW LEADERS MAINTAIN A STRONG ETHICAL CULTURE

- Set ethical expectations using fundamental ethical values (e.g., Integrity, Personal Courage, Stewardship of Taxpayers' $$) as the foundation.
- Lead by example (tone set at the top) – and hold self and others accountable.
- Remove fear of retaliation from organization climate. Promote candor to the leadership.
- Foster environment where subordinates go beyond asking "Is this legal?" to "Is this prudent?" By doing this, employees take ownership of culture.
- Reward courage, selfless service, protecting

THE CHARACTER THAT TAKES COMMAND

"The character that takes command in moments of crucial choices has already been determined. It has been determined by a thousand other choices made earlier in seemingly unimportant moments. It has been determined by all the little choices of years past — by all those times when the voice of conscience was at war with the voice of temptation — whispering the lie that it really doesn't matter. It has been determined by all the day-to-day decisions made when life seemed easy and crises seemed far away — the decisions that, piece by piece, bit by bit, developed habits of discipline – or of laziness, habits of self-sacrifice — or of self-indulgence, habits of duty and honor and integrity — or dishonor and shame."

— Ronald Reagan, The Citadel, May 15, 1993

When All Else Fails…

THERE WERE ELEVEN WAYS TO INTERPRET THE VAGUE ASSIGN-MENT YOU GAVE ME BY VOICEMAIL.
GIVEN THE RISKS OF CHOOSING WRONG, AND MY ENGINEERING OATH TO DO NO HARM, IT WAS MY ETHICAL DUTY TO DO NOTHING.
YOU COULD HAVE ASKED FOR CLARIFI-CATION.
SOUNDS RISKY.
Dilbert.com DilbertCartoonist@gmail.com
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ASK!